

chief may convene a one-member or more hearing board and the hearing board shall have only the authority to recommend the sanctions as provided in this subtitle for summary punishment. If a single member hearing board is convened, that member need not be of the same rank. However, all other provisions of this subtitle shall apply.

731.

(d) (1) Notwithstanding any other provisions of this subtitle, THE DECISION OF THE HEARING BOARD, BOTH AS TO FINDINGS OF FACT AND PUNISHMENT, IF ANY, IS FINAL:

(I) [if] IF a chief is an eyewitness to the incident under investigation[, the decision of the hearing board, both as to findings of fact and punishment, if any, is final]; OR

(II) IF AN AGENCY OR ITS SUPERIOR GOVERNMENTAL AUTHORITY HAS AGREED WITH AN EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE RECOGNIZED OR CERTIFIED UNDER APPLICABLE LAW THAT THE DECISION IS FINAL.

(2) THE PROVISIONS OF PARAGRAPH (1)(II) OF THIS SUBSECTION MAY NOT BE THE SUBJECT OF BINDING ARBITRATION.

~~†2†~~ (3) The decision then may be appealed in accordance with § 732 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 19, 1989.

CHAPTER 517

(House Bill 708)

AN ACT concerning

Allegany County -- Alcoholic Beverages - Appeals

FOR the purpose of excepting Allegany County from the general appeal provisions of the alcoholic beverages law by increasing the time limit allowed the Circuit Court for Allegany County to make a determination on an appeal from a decision of the Allegany County Board of License Commissioners.